

**OPINION  
46-141**

October 4, 1946 (OPINION)

GAME AND FISH

RE: Hunting Predatory Animals - Use of Aircraft

This will acknowledge your letter of October 1 enclosing proposed rules governing the hunting of predatory animals with aircraft promulgated by the State Game and Fish Department under the terms of chapter 20-0108 of the North Dakota Revised Code of 1943 and numbered 1 to 11 inclusive.

I also acknowledge receipt of the letter written to you by Erling A. Nasset under date of September 30, in which he endorses and approves Rule No. 5, setting forth certain qualifications and requirements of a pilot of an airplane used in hunting predatory animals.

I believe the rules that you have promulgated which you propose to publicize as stated in your letter are within your regulatory powers as indicated in section 20-0108 of the North Dakota Revised Code of 1943, and that the same are valid and will be effective when publicized. They are hereby approved.

I return herewith the letter that you received from Mr. Nasset for your records.

NELS G. JOHNSON

Attorney General